

**THE HON'BLE SRI JUSTICE GODA RAGHURAM**

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**W.P.NO.2552 OF 2006**

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Between:

G.Yadaiah son of Narsimha

...Petitioner

vs.

The Commissioner of Prohibition and Excise, Hyderabad and two others.

...Respondents.

**THE HON'BLE SRI JUSTICE GODA RAGHURAM**

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**W.P.NO.2552 OF 2006**

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**ORAL ORDER**

The petitioner's auto was seized on 05-10-2005 on an allegation of transporting a large quantity of adulterated toddy, adulterated with chloral hydrate. The petitioner submitted an application for release of his auto pending final determination of the

offence alleged. By the order dated 13-12-2005 the Deputy Commissioner Prohibition & Excise concerned, permitted release of the vehicle in favour of the petitioner on certain conditions including that he should submit a Fixed Deposit or Bank guarantee for Rs.70,000/- obtained from any Nationalized Bank in the State and that he shall furnish an undertaking with two(2) sureties, not to sell or otherwise alienate the vehicle pending the determination. Aggrieved thereby the petitioner preferred an appeal to the respondent on 23-01-2006. The petitioner's grievance is that the respondent has not disposed of the appeal.

In the facts and circumstances of the case and after hearing the learned Government Pleader for Prohibition and Excise the writ petition is disposed of directing the 1<sup>st</sup> respondent to expeditiously and in any event within a period of six (6) weeks from the date of receipt of a copy of this Order, consider and dispose of the appeal directed against the order of the Deputy Commissioner of Prohibition & Excise, Mahaboobnagar Division dated 13-12-2005. In the circumstances there shall be no order as to costs.

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**GODA RAGHURAM,J**

13<sup>TH</sup> FEBRUARY 2006

**Note:**

Issue CC as soon as

Possible.

(B/O)

\*TSNR